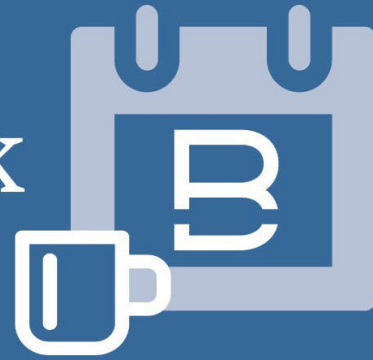


The Work Week

Bassford Remele Employment Practice Group



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Welcome to another edition of *The Work Week with Bassford Remele*. Each Monday, we will publish and send a new article to your inbox to hopefully assist you in starting your work week.

[Bassford Remele Labor & Employment Practice Group](#)

MHRA Amendments and EEOC Enforcement Priorities: What Employers Need to Know

[Beth L. LaCanne](#)

Legislative amendments at the state level and agency priorities at the federal level impact and reshape the employment law landscape for employers. This week, we will discuss recent legislative changes to the Minnesota Human Rights Act (MHRA) that passed and the evolving enforcement priorities of the U.S. Equal Employment Opportunity Commission (EEOC).

MHRA Amendments

The governor has signed into law amendments to the MHRA expanding conduct that may be an unfair discriminatory practice and modifying the administrative process slightly.

- Interactive Process

Beginning August 1, 2026, failure to engage in an interactive process to determine a disability accommodation may itself constitute a discriminatory practice under the MHRA. This amendment underscores the importance of engaging in an interactive process when employees request modifications to their duties or schedules due to a disability, a process that has been required under the MHRA since 2021 (and long been required under the Americans with Disabilities Act). As a reminder, under the MHRA, an employer claiming undue hardship must document its “good faith efforts [during the interactive process] to explore less restrictive or less expensive alternatives.”

- Administrative Process

Previously, the Commissioner did not have a deadline for deciding whether to refer a request for a hearing on a determination to the Court of Administrative Hearings. Beginning August 1, 2026, the Commissioner has thirty (30) days to decide whether to refer a request for a contested hearing to the Court of Administrative Hearings. And the Court of Administrative Hearings must “promptly” set a hearing. The amendment to the administrative process also eliminated the contesting party’s right to have the hearing in the county where the unfair discriminatory practice occurred or where the respondent resides or has a principal place of business. The amendment should expedite review of the Commissioner’s determinations but may create logistical complexities because contested hearings are no longer limited to a specific location.

EEOC Priorities and Enforcement Focus

Recently, the EEOC issued a [press release](#) discussing its efforts to effectuate the current administration’s priorities surrounding the enforcement of the civil rights laws. The EEOC highlighted its efforts surrounding religious accommodations, DEI programs, national origin, and sex-based civil rights. The EEOC also discussed the uniform evidentiary standards that apply in employment discrimination cases following a 2025 U.S. Supreme Court decision.

- Religious Accommodation

Since January 2025, the EEOC has filed 16 lawsuits and recovered over \$63 million for workers related to religious accommodation. High-profile actions include a \$21 million settlement with Columbia University over antisemitic harassment and a \$15 million conciliation involving COVID vaccine mandate religious exemptions.

- DEI Programs

The EEOC is also actively investigating and litigating against employers whose DEI programs it believes constitute race or sex discrimination under Title VII. Recent actions include a \$5.5 million settlement with a transportation company regarding nationwide sex discrimination based on the failure to hire women for truck driving positions. The EEOC has also filed a lawsuit against *The New York Times* for allegedly discriminating against a white male employee in promotions.

- National Origin

The EEOC’s enforcement related to national origin bias involves a partnership with the Department of Labor and the Homeland Security called “Project Firewall.” The objective of “Project Firewall” is to protect American workers from employers who allegedly prefer foreign workers.

- Sex-Based Rights

The EEOC has formally rescinded its 2024 Harassment Guidance, which had taken the position that denying bathroom access consistent with an employee's gender identity, or using a name or pronoun inconsistent with gender identity, could constitute harassment under Title VII.

The EEOC has also issued a federal sector ruling that Title VII permits employers to maintain single-sex bathrooms and similar intimate spaces, including the exclusion of transgender employees from opposite-sex facilities.

While federal EEOC enforcement has shifted, Minnesota state law under the MHRA continues to prohibit discrimination based on sexual orientation and gender identity.

- Uniform Evidentiary Standard

The EEOC also discussed the 2025 U.S. Supreme Court decision which held that Title VII's protections apply equally to all individuals regardless of whether they belong to a minority or majority group. The same evidentiary standards now apply whether the plaintiff is a member of a historically protected class or not. This aligns with a position the EEOC has consistently maintained for decades and opens the door to more discrimination claims from majority-group employees.

Minnesota employers face a dual compliance challenge: a state law that has expanded employee protections and employer obligations, and a federal enforcement environment that has narrowed in some areas while intensifying dramatically in others. The Bassford Remele Employment Law Group closely monitors regulatory and legal developments at both the state and federal levels. We advise clients on the practical implications of these developments, particularly when the state laws may appear to be incompatible with federal laws or the agencies that enforce the federal laws. We also defend clients before administrative agencies and in state and federal courts related to discrimination.

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